

**REMARKS**

Claims 6 and 8-12 remain in the application, with Claims 1-5 and 7 having been cancelled and Claims 8-12 having been added. No new matter has been added. Favorable consideration of this application is respectfully requested in view of the foregoing amendments and the following remarks.

Claims 1-4 and 7 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,241,747 (Ruff). This rejection has been rendered moot by cancellation of claims 1-4 and 7.

Claim 6 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Ruff , taken alone or in view of U.S. Patent No. 3,221,746 (Noble). Applicants respectfully traverse this rejection.

Claim 6 recites a surgical thread for cosmetic operations including "protrusions [that] are provided in a form of needles with sockets for fixation thereof on the thread." By using sockets to affix protrusions to the thread, the present invention allows use of a thread to meet the delicate requirements of cosmetic surgery while avoiding having to cut or notch the thread, thereby preserving rupture strength of the thread.

Ruff discloses a tissue connector with a body having a sharp tissue penetrating tip and barbs formed integrally along the length of the body. The tissue connector of Ruff is not a thread (as evidenced by the presence of a sharp tissue penetrating tip), and, as recognized by the examiner, Ruff does not disclose a separate mechanism for attaching the barbs to the body of the connector. The examiner has cited *In re*

*Dulberg*, 129 USPQ 348 (CCPA 1961) for the proposition that "constructing a formerly integral structure in various elements involved only routine skill in the art." However, here, Applicants are introducing new elements (i.e. sockets) that were not "formerly" part of an "integral structure." Furthermore, one of ordinary skill in the art would not have been motivated by the teaching of Noble to modify the connector of Ruff to include sockets on a thread as recited in Claim 6.

Noble discloses a tubular coupling for connecting the ends of tubular organs, such as blood vessels, within the body. The coupling includes a rigid tubular body 1 with annular grooves 5 formed about the exterior circumference of the body (See Fig. 1). Ring members 4 bearing a plurality of barbs of sharpened portions 6 are located in the grooves (See Fig. 1).

Neither Ruff nor Noble disclose a thread with protrusions suitable for cosmetic surgery, much less sockets to affix protrusions to such a thread. Therefore, a combination of Ruff and Noble would not result in a surgical thread as recited in Claim 6.

Noble, rather than teaching sockets on a thread, teaches incorporation of a groove in a tubular coupling to accommodate a ring member. Applying the teachings of Noble to the connector of Ruff would result in a connector body having a series of annular recesses formed along its length, which is contrary to the main idea of the present invention, namely to provide protrusions on a surgical thread with a minimal but uniform cross-section while preserving maximal axial integrity and maintaining

rupture strength of the thread. See page 4, paragraph 4 of Applicants' specification. Forming annular recesses in a thread would render it unsuitable for cosmetic surgery.

In the Advisory Action dated May 2, 2008, the Patent Office states that the "device of Noble also preserves the rupture strength of the thread since the barbs are **not provided as cut slits** on the thread. The barbs actually extend from the cylindrical thread **without any structure that will weaken the rupture strength** of the thread." Emphasis added. Applicants respectfully disagree with this characterization of the Noble reference.

First, the hollow tubing of Noble is not analogous to the fine surgical thread contemplated in Claim 6. Secondly, assuming arguendo that Noble is analogous, Fig. 1 of Noble clearly shows Noble's ring members (4) seated within annular grooves (5). Noble states, "to be sure the ring members 4 are securely mounted, they may be located in annular grooves 5 formed **in** the tubular body 1." Emphasis added. The text and the cross-sections shown in Fig. 1 make it clear that Noble's annular grooves are fabricated as local reductions in the diameter of Noble's tube. It cannot be seriously argued that such diameter reducing grooves would not greatly reduce rupture strength in a thread. Such reduction is inconsistent with the application of providing a fine thread for cosmetic surgery.

Accordingly, Claim 6 is submitted to be allowable over Ruff, alone or in view of Noble. Claims 8-12 depend from Claim 6 and are therefore allowable for the reasons outlined above as well as for the additional limitations they recite. For example, Claim

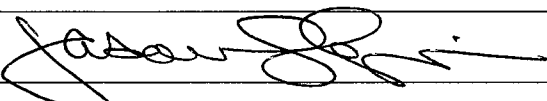
12 recites a thread length sufficient "to extend from a temporal portion of a face to a nasolabial fold of the face so as to lift a flabby droopy region of soft tissues of the face when inserted," and neither Ruff nor Noble teach or suggest such a feature.

### **CONCLUSION**

In view of the foregoing, Applicants respectfully submit that this application is in condition for allowance and should now be passed to issue.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

The Commissioner is hereby authorized to charge any fees and to credit any overpayments that may be required by this paper under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account No. 02-2135. If any extension of time is required in connection with the filing of this paper and has not been requested separately, such extension is hereby requested.

<b>RESPECTFULLY SUBMITTED,</b>					
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